

UNITED STATES DISTRICT COURT

for the

APR 02 2008

Western District of Virginia

BY: 
J. J. CORAN, CLERK
DEPUTY CLERKUnited States of America
v.

Anthony Daniel Blaney

Date of Previous Judgment: October 4, 2006
(Use Date of Last Amended Judgment if Applicable)Case No: 7:06CR00042-001USM No: 12216-084

Allegra Black, Assistant Federal Public Defender

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 135 months is reduced to 108 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 33Amended Offense Level: 31Criminal History Category: ICriminal History Category: IPrevious Guideline Range: 135 to 168 monthsAmended Guideline Range: 108 to 135 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

*As the concurrent sentences imposed on Counts Four, Five, and Six were all calculated under the crack cocaine sentencing guidelines, pursuant to U.S.S.G. § 5G1.2(b), the court hereby reduces each of the three sentences to 108 months imprisonment, concurrent to each other, pursuant to 18 U.S.C. § 3582(c) and the 2007 retroactive amendments to the crack cocaine sentencing guidelines.

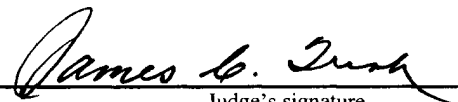
III. ADDITIONAL COMMENTS

The factors listed in 18 U.S.C. § 3553(a) having been considered, the government's objections to the reduction are overruled.

Except as provided above, all provisions of the judgment dated 10/04/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: April 2, 2008


Judge's signature

Effective Date: _____
(if different from order date)

James C. Turk, Senior United States District Judge
Printed name and title